

Commonwealth of Massachusetts

MIDDLESEX,SS.

TRIAL COURT OF THE COMMONWEALTH
SUPERIOR COURT DEPARTMENT
CIVIL DOCKET NO. 2181CV00396

Christina LaDany, PLAINTIFF(S),

v.

Omni Hotels Management Corporation, DEFENDANT(S)

SUMMONS



THIS SUMMONS IS DIRECTED TO Omni Hotels Mgmt. Corp. (Defendant's name)

You are being sued. The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this summons and the original complaint has been filed in the Middlesex Superior Court. **YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.**

1. **You must respond to this lawsuit in writing within 20 days.** If you do not respond, the court may decide the case against you and award the Plaintiff everything asked for in the complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**
2. **How to Respond.** To respond to this lawsuit, you must file a written response with the court and mail a copy to the Plaintiff's Attorney (or the Plaintiff, if unrepresented). You can do this by:
 - a. Filing your signed original response with the Clerk's Office for Civil Business, Middlesex Court, _____ (address), by mail or in person, AND
 - b. Delivering or mailing a copy of your response to the Plaintiff's Attorney/Plaintiff at the following address: 271 Main St. Ste 302 Somerville MA 02148
3. **What to include in your response.** An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. ~~Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to~~ use them in court. If you have any claims against the Plaintiff (referred to as **counterclaims**) that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Answer or in a written demand for a jury trial that you must send to the other side and file with the court no more than 10 days after sending your Answer. You can also respond to a Complaint by filing a "Motion to Dismiss," if you believe that the complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Mass. R. Civ. P. 12**. If you are filing a Motion to Dismiss, you must also comply with the filing procedures for "Civil Motions" described in the rules of the Court in which the complaint was filed, available at www.mass.gov/courts/case-legal-res/rules-of-court.

4. **Legal Assistance.** You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at www.mass.gov/courts/selfhelp.
5. **Required information on all filings:** The "civil docket number" appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Judith Fabricant, Chief Justice on _____, 20 ____.



Michael A. Sullivan
Clerk-Magistrate

Note: The number assigned to the Complaint by the Clerk-Magistrate at the beginning of the lawsuit should be indicated on the summons before it is served on the Defendant.

PROOF OF SERVICE OF PROCESS

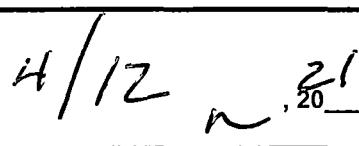
I hereby certify that on _____, 20 ___, I served a copy of this summons, together with a copy of the complaint in this action, on the defendant named in this summons, in the following manner (See Mass. R. Civ. P. 4(d)(1-5)):

Dated: _____, 20 ____

Signature: _____

N.B. TO PROCESS SERVER:

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.



4/12 2021

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

**SUPERIOR COURT DEPT.
C.A.#:**

**CHRISTINA LADANY,
Plaintiff,**

v.

**OMNI HOTELS MANAGEMENT
CORPORATION,**

Defendant,

COMPLAINT

1. The Plaintiff, Christina Ladany, (hereinafter “Plaintiff”), is an individual with a residential address of 17 Small Lane, Reading, Middlesex County, Massachusetts.
2. The Defendant, Omni Hotels Management Corporation, is registered with the Secretary of State in Massachusetts as a for-profit “Foreign Corporation” with a principal place of business at 4001 Maple Avenue Suite 600, Dallas, Texas.
3. The Registered Agent of Omni Hotels Management Corporation is Corporation Service Company. located at 84 State Street, Suffolk County Boston, Ma.;

FACTS

4. The Plaintiff incorporates, by reference, paragraphs one through three of this complaint, herein.
5. On or about March 8, 2018, the Plaintiff, Christina Ladany was employed by Freeman Companies as a Manager of Audio-Visual services;
6. As of March of 2018, the plaintiff’s employer had contracted with Boston Omni Hotels to provide audio visual services and to coordinate the set up and breakdown of technology and audio visual equipment for special events held at the Hotel, located at 60 School Street, Boston, Ma.;

7. As of March 8, 2018, the Plaintiff worked for her employer at the Boston Omni Hotel, where she worked as the Manager of Audio Visual Services and Coordinator of special events at the Hotel;
8. As of March 8, 2018, the Plaintiff's responsibilities included the coordination of audio-visual services and the coordination and management of the set up and breakdown of equipment for special events within the hotel;
9. As of March of 2018, the Defendant Omni Hotels Management Corporation was responsible for the management and maintenance of the hotel property described herein and this property was under its care and control;
10. On March 8, 2018, in the morning hours, as the Plaintiff walked with due care and caution through the area known as the Grand Ballroom following a special event which had occurred there, she was caused to fall over a pile of broken glass which had been negligently left by the employees of the defendant on a ramp which served as a walkway;
11. Due to the fall, the plaintiff fell on her left side, causing severe injuries to her left knee and severe lacerations to her right hand;

COUNT I – NEGLIGENCE

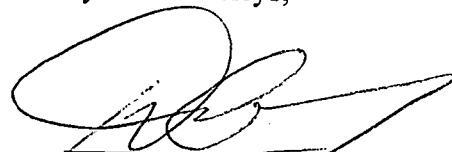
Plaintiff Christina Ladany vs. Defendant Omni Hotels Management Corporation

12. The Plaintiff incorporates, by reference, paragraphs one through eleven of this complaint, herein.
13. Upon information and belief, the location at which the Plaintiff was caused to fall was managed, maintained and under the control of Defendant Omni Hotels Management Corporation
14. The defendant, Omni Hotels Management Corporation owed a duty to the Plaintiff, who was employed within the premises and was a business invitee at the property.
15. Defendant Omni Hotels Management Corporation breached this duty when it failed to safely and properly maintain the area at which the Plaintiff was caused to fall.
16. As a direct and proximate cause of this breach by the defendant, the Plaintiff was caused to suffer severe personal injuries, pain and suffering, and incurred medical expenses.

WHEREFORE, the Plaintiff, Christina Ladany, hereby demands judgment against Defendant, Omni Hotels Management Corporation, together with interest and costs, as well as any other relief this Honorable Court deems just and proper.

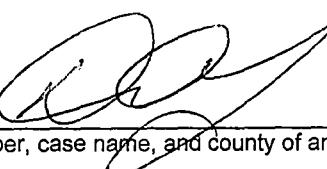
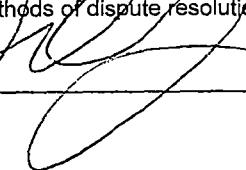
THE PLAINTIFFS DEMANDS A TRIAL BY JURY ON ALL COUNTS OF THIS COMPLAINT, WHERE ALLOWED BY LAW.

Respectfully submitted,
Plaintiff, Christina Ladany,
by her Attorneys,



Daniel J. Moynihan (BBO# 546346)
Mark A. Russell, (BBO #568943)
Law Office of Daniel J. Moynihan, PC
271 Main Street, Suite 302
Stoneham, MA 02180
(781) 438-8800
moynihanlaw@verizon.net

DATE: 2/19/21

CIVIL ACTION COVER SHEET		DOCKET NUMBER	Trial Court of Massachusetts The Superior Court	
PLAINTIFF(S): CHRISTINA LADANY		COUNTY Middlesex		
ADDRESS: 17 SMALL LANE		DEFENDANT(S): OMNI HOTELS MANAGEMENT CORPORATION		
READING, MA.				
ATTORNEY: DANIEL J. MOYNIHAN				
ADDRESS: 217 MAIN STREET SUITE 302		ADDRESS: 4001 MAPLE AVENUE, SUITE 600		
STONEHAM, MA. 02180		DALLAS, TEXAS		
BBO: 546346				
TYPE OF ACTION AND TRACK DESIGNATION (see reverse side)				
CODE NO. B 20	TYPE OF ACTION (specify) TORT	TRACK F	HAS A JURY CLAIM BEEN MADE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
*If "Other" please describe:				
Is there a claim under G.L. c. 93A? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Is this a class action under Mass. R. Civ. P. 23? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
STATEMENT OF DAMAGES PURSUANT TO G.L. c. 212, § 3A				
The following is a full, itemized and detailed statement of the facts on which the undersigned plaintiff or plaintiff's counsel relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.				
TORT CLAIMS (attach additional sheets as necessary)				
A. Documented medical expenses to date:				
1. Total hospital expenses				\$ 17,944.07
2. Total doctor expenses				\$ 39,665.62
3. Total chiropractic expenses				\$
4. Total physical therapy expenses				\$ XXX
5. Total other expenses (describe below)				\$
				Subtotal (A): \$ 37,609.89
B. Documented lost wages and compensation to date				
C. Documented property damages to date				
D. Reasonably anticipated future medical and hospital expenses				
E. Reasonably anticipated lost wages				
F. Other documented items of damages (describe below)				
G. Briefly describe plaintiff's injury, including the nature and extent of injury: xxx still collecting therapy bills. Plaintiff sustained a left knee injury which resulted in multiple surgeries, including a total knee replacement.				
				TOTAL (A-F): \$ 500,000.00
CONTRACT CLAIMS (attach additional sheets as necessary)				
<input type="checkbox"/> This action includes a claim involving collection of a debt incurred pursuant to a revolving credit agreement. Mass. R. Civ. P. 8.1(a). Provide a detailed description of claim(s):				
				TOTAL: \$
Signature of Attorney/ Unrepresented Plaintiff: X 				
Date: Feb 19, 2021				
RELATED ACTIONS: Please provide the case number, case name, and county of any related actions pending in the Superior Court.				
CERTIFICATION PURSUANT TO SJC RULE 1:18				
I hereby certify that I have complied with requirements of Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods of dispute resolution.				
Signature of Attorney of Record: X 				Date: Feb 19, 2021

CIVIL ACTION COVER SHEET INSTRUCTIONS
SELECT CATEGORY THAT BEST DESCRIBES YOUR CASE

<u>AC Actions Involving the State/Municipality *</u>	<u>ER Equitable Remedies</u>	<u>RP Real Property</u>
AA1 Contract Action involving Commonwealth, Municipality, MBTA, etc. (A)	D01 Specific Performance of a Contract (A) D02 Reach and Apply (F) D03 Injunction (F) D04 Reform/ Cancel Instrument (F) D05 Equitable Replevin (F) D06 Contribution or Indemnification (F) D07 Imposition of a Trust (A) D08 Minority Shareholder's Suit (A) D09 Interference in Contractual Relationship (F) D10 Accounting (A) D11 Enforcement of Restrictive Covenant (F) D12 Dissolution of a Partnership (F) D13 Declaratory Judgment, G.L. c. 231A (A) D14 Dissolution of a Corporation (F) D99 Other Equity Action (F)	C01 Land Taking (F) C02 Zoning Appeal, G.L. c. 40A (F) C03 Dispute Concerning Title (F) C04 Foreclosure of a Mortgage (X) C05 Condominium Lien & Charges (X) C99 Other Real Property Action (F)
AB1 Tortious Action involving Commonwealth, Municipality, MBTA, etc. (A)		
AC1 Real Property Action involving Commonwealth, Municipality, MBTA etc. (A)		
AD1 Equity Action involving Commonwealth, Municipality, MBTA, etc. (A)		
AE1 Administrative Action involving Commonwealth, Municipality, MBTA,etc. (A)		
CN Contract/Business Cases		
A01 Services, Labor, and Materials (F)		
A02 Goods Sold and Delivered (F)		
A03 Commercial Paper (F)		
A04 Employment Contract (F)		
A05 Consumer Revolving Credit - M.R.C.P. 8.1 (F)		
A06 Insurance Contract (F)		
A08 Sale or Lease of Real Estate (F)		
A12 Construction Dispute (A)		
A14 Interpleader (F)		
BA1 Governance, Conduct, Internal Affairs of Entities (A)		
BA3 Liability of Shareholders, Directors, Officers, Partners, etc. (A)		
BB1 Shareholder Derivative (A)		
BB2 Securities Transactions (A)		
BC1 Mergers, Consolidations, Sales of Assets, Issuance of Debt, Equity, etc. (A)		
BD1 Intellectual Property (A)		
BD2 Proprietary Information or Trade Secrets (A)		
BG1 Financial Institutions/Funds (A)		
BH1 Violation of Antitrust or Trade Regulation Laws (A)		
A99 Other Contract/Business Action - Specify (F)		
* Choose this case type if ANY party is the Commonwealth, a municipality, the MBTA, or any other governmental entity UNLESS your case is a case type listed under Administrative Civil Actions (AA).		
† Choose this case type if ANY party is an incarcerated party, UNLESS your case is a case type listed under Administrative Civil Actions (AA) or is a Prisoner Habeas Corpus case (E97).		
	PA Civil Actions Involving Incarcerated Party †	
	PA1 Contract Action involving an Incarcerated Party (A) PB1 Tortious Action involving an Incarcerated Party (A) PC1 Real Property Action involving an Incarcerated Party (F) PD1 Equity Action involving an Incarcerated Party (F) PE1 Administrative Action involving an Incarcerated Party (F)	
	TR Torts	
	B03 Motor Vehicle Negligence - Personal Injury/Property Damage (F) B04 Other Negligence - Personal Injury/Property Damage (F) B05 Products Liability (A) B06 Malpractice - Medical (A) B07 Malpractice - Other (A) B08 Wrongful Death - Non-medical (A) B15 Defamation (A) B19 Asbestos (A) B20 Personal Injury - Slip & Fall (F) B21 Environmental (F) B22 Employment Discrimination (F) BE1 Fraud, Business Torts, etc. (A) B99 Other Tortious Action (F)	
	RP Summary Process (Real Property)	
	S01 Summary Process - Residential (X) S02 Summary Process - Commercial/ Non-residential (F)	
	SO Sex Offender Review	
		E12 SDP Commitment, G.L. c. 123A, § 12 (X) E14 SDP Petition, G.L. c. 123A, § 9(b) (X)
	RC Restricted Civil Actions	
		E19 Sex Offender Registry, G.L. c. 6, § 176M (X) E27 Minor Seeking Consent, G.L. c.112, § 12S(X)

TRANSFER YOUR SELECTION TO THE FACE SHEET

EXAMPLE:

CODE NO.	TYPE OF ACTION (specify)	TRACK	HAS A JURY CLAIM BEEN MADE?
B03	Motor Vehicle Negligence-Personal Injury	<u>F</u>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

STATEMENT OF DAMAGES PURSUANT TO G.L. c. 212, § 3A

DUTY OF THE PLAINTIFF - The plaintiff shall set forth, on the face of the civil action cover sheet (or attach additional sheets as necessary), a statement specifying the facts on which the plaintiff relies to determine money damages. A copy of such civil action cover sheet, including the statement as to the damages, shall be served with the complaint. A clerk-magistrate shall not accept for filing a complaint, except as otherwise provided by law, unless it is accompanied by such a statement signed by the attorney or self-represented litigant.

DUTY OF THE DEFENDANT - If the defendant believes that the statement of damages filed by the plaintiff is inadequate, the defendant may file with his/her answer a statement specifying the potential damages which may result if the plaintiff prevails.

A CIVIL COVER SHEET MUST BE FILED WITH EACH COMPLAINT.
FAILURE TO COMPLETE THIS COVER SHEET THOROUGHLY AND ACCURATELY
MAY RESULT IN DISMISSAL OF THIS ACTION.

CIVIL TRACKING ORDER (STANDING ORDER 1-88)	DOCKET NUMBER 2181CV00396	Trial Court of Massachusetts The Superior Court 
CASE NAME: Ladany, Christina vs. Omni Hotels Management Corporation		Michael A. Sullivan, Clerk of Court Middlesex County
TO: File Copy		COURT NAME & ADDRESS Middlesex County Superior Court - Woburn 200 Trade Center Woburn, MA 01801

TRACKING ORDER - F - Fast Track

You are hereby notified that this case is on the track referenced above as per Superior Court Standing Order 1-88. The order requires that the various stages of litigation described below must be completed not later than the deadlines indicated.

STAGES OF LITIGATION**DEADLINE**

	SERVED BY	FILED BY	HEARD BY
Service of process made and return filed with the Court		05/24/2021	
Response to the complaint filed (also see MRCP 12)		06/23/2021	
All motions under MRCP 12, 19, and 20	06/23/2021	07/23/2021	08/23/2021
All motions under MRCP 15	06/23/2021	07/23/2021	08/23/2021
All discovery requests and depositions served and non-expert depositions completed	12/20/2021		
All motions under MRCP 56	01/19/2022	02/18/2022	
Final pre-trial conference held and/or firm trial date set			06/20/2022
Case shall be resolved and judgment shall issue by			02/23/2023

The final pre-trial deadline is not the scheduled date of the conference. You will be notified of that date at a later time.

Counsel for plaintiff must serve this tracking order on defendant before the deadline for filing return of service.

This case is assigned to

DATE ISSUED 02/23/2021	ASSISTANT CLERK Maria Pantos	PHONE (781)939-2772
---------------------------	---------------------------------	------------------------



Mark Russell <attyrussell.moynihanlaw@gmail.com>

Filing Accepted for Case: 2181CV00396; 2181CV00396 Ladany, Christina vs. Omni Hotels Management Corporation; Envelope Number: 483581

2 messages

efilingmail@tylerhost.net <efilingmail@tylerhost.net>
To: attyrussell.moynihanlaw@gmail.com

Tue, Feb 23, 2021 at 9:00 AM



Massachusetts Court System
Odyssey File & Serve

Filing Accepted

Envelope Number: 483581
Case Number: 2181CV00396
Case: 2181CV00396 Ladany, Christina vs. Omni Hotels Management Corporation

This is a notification that the following document has been ACCEPTED for filing by the Clerk's Office. You may access the file stamped copy of the document by clicking the below link.

Filing Details	
Court	Superior Courts
Date/Time Submitted	2/22/2021 5:28 PM EST
Date/Time Accepted	2/23/2021 8:59 AM EST
Reviewer Comment	
Filing Code	Complaint Electronically Filed
Page Count	3
Submitted By	Mark Russell
Submitting Attorney	Daniel Moynihan
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(123) 555-1234

efilingmail@tylerhost.net <efilingmail@tylerhost.net>
To: attyrussell.moynihanlaw@gmail.com

Tue, Feb 23, 2021 at 9:00 AM



Massachusetts Court System
Odyssey File & Serve

Filing Accepted

Envelope Number: 483581
Case Number: 2181CV00396
Case: 2181CV00396 Ladany, Christina vs. Omni Hotels Management Corporation

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Filing Details	
Court	Superior Courts
Date/Time Submitted	2/22/2021 5:28 PM EST
Date/Time Accepted	2/23/2021 8:59 AM EST
Reviewer Comment	
Filing Code	Civil Action Cover Sheet
Page Count	1
Submitted By	Mark Russell
Submitting Attorney	Daniel Moynihan
View Document	Download Document
This link is active for 45 days.	

[Quoted text hidden]

**BOB SWEENEY
CONSTABLE SERVICES
PO BOX 80018
STONEHAM MA 02180**

Omni HOTELS Mgmt Corp.
c/o Corp. Service Co.
84 STATE ST.